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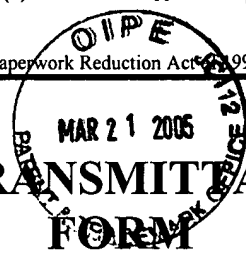
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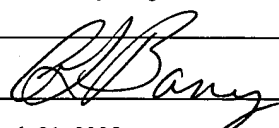
Approved for use through 09/30/2000. OMB 0651-0031

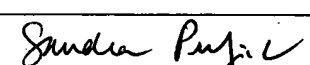
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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 <p>TRANSMITTAL FORM (to be used for all correspondence after initial filing)</p>		Application Number	10/015,715
		Filing Date	December 12, 2001
		First Named Inventor	Wei-Qiang Gao, et al.
		Group/Art Unit	1647
		Examiner Name	Robert Landsman
Total Number of Pages in This Submission	20 pages	Attorney Docket Number	39780-2830P1C56

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version with Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px;"> <p>Copy of Amendment under 37 C.F.R. §1.48(b) and 37 C.F.R. §1.312 as filed; Copy of the Preliminary Amendment as filed; Copy of the Updated Filing Receipt received; and a Return Receipt Postcard</p> </div>
Remarks: AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 (ATTORNEY DOCKET NO. 39780-2830P1C56) FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual name	Anna L. Barry, Reg. No. 51,436, HELLER EHRMAN WHITE & McAULIFFE LLP		
Signature			
Date	March 21, 2005	Customer Number:	35489/09157

CERTIFICATE OF MAILING (37CFR 1.10)			
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Typed or print name	Sandra Puljic		
Signature		Date	March 21, 2005

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Wei-Qiang Gao, et al. Docket No.: 39780-2830P1C56
Serial No.: 10/015,715 Group Art Unit: 1647
Filing Date: December 12, 2001 Examiner: Robert S. Landsman
For: **PRO1340 NUCLEIC ACIDS**

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Attached is a copy of the official filing receipt received from the USPTO in the above application for which issuance of a corrected filing receipt is respectfully requested. The domestic priority data and foreign applications for this application are incorrectly entered.

The correct priority data, as evidenced by the attached copy of the preliminary amendment filed on August 29, 2002, is:

--This application is a continuation of, and claims priority under 35 USC §120 to, US Application 09/946,374 filed 9/4/2001, which is a continuation of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/04342 filed 2/18/2000, which is a continuation-in-part of, and claims priority under 35 USC §120 to, US Application 09/403,297 filed 10/18/1999, now abandoned, which is the National Stage filed under 35 USC §371 of PCT Application PCT/US99/20111 filed 9/1/1999, which claims priority under 35 USC §119 to US Provisional Application 60/101,916 filed 9/24/1998.--

CERTIFICATE OF EXPRESS MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date indicated below.			
Express Mail Label: EV 582 629 244 US			
Typed or printed name	Sandra Puljic		
Signature		Date	March 21, 2005

Also enclosed is Applicants copy of the previously filed Amendment under 37 C.F.R. §1.48(b) which correctly names the inventors in this case. Applicants note that the inventors listed under Applicant(s) **should** read:

Wei-Qiang Gao
Audrey Goddard
Paul J. Godowski
Austin Gurney
William I. Wood

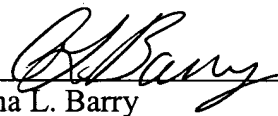
In support, Applicants enclose a copy of the previously filed Amendment under 37 C.F.R. §1.48(b).

Issuance of a Corrected Filing Receipt is respectfully requested.

The correction is not due to any error by applicant and no fee is due. However, in the event that a fee is due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. **08-1641 (Atty. Docket No. 39780-2830P1C56)**.

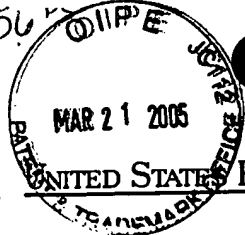
Respectfully submitted,

Dated: March 21, 2005



Anna L. Barry
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GNE.2830P1C56
GRD/DKJ

UNITED STATES PATENT AND TRADEMARK OFFICE

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 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/015,715	12/12/2001	1645	740	GNE.2830P1C56	249	20	3

CONFIRMATION NO. 4464

UPDATED FILING RECEIPT



OC000000008502859

 Ginger R. Dreger
 Knobbe Martens Olson & Bear
 Sixteenth Floor
 620 Newport Center Drive
 Newport Beach, CA 92660

Date Mailed: 07/24/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

~~Kevin P. Baker, Darnestown, MD;~~
~~David Botstein, Belmont, CA;~~
~~Luc Desnoyers, San Francisco, CA;~~
~~Dan L. Eaton, San Rafael, CA;~~
~~Napoleone Ferrara, San Francisco, CA;~~
~~Sherman Fong, Alameda, CA;~~
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~~Audrey Goddard, San Francisco, CA;~~
~~Paul J. Godowski, Hillsborough, CA;~~
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~~Colin K. Watanabe, Moraga, CA;~~
~~P. Mickey Williams, Half Moon Bay, CA;~~
~~William I. Wood, Hillsborough, CA;~~

Assignment For Published Patent Application

Genentech, Inc.;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/946,374 09/04/2001
AND CLAIMS BENEFIT OF 60/098,716 09/01/1998
AND CLAIMS BENEFIT OF 60/098,723 09/01/1998
AND CLAIMS BENEFIT OF 60/098,749 09/01/1998
AND CLAIMS BENEFIT OF 60/098,750 09/01/1998
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AND CLAIMS BENEFIT OF 60/102,484 09/30/1998

SEE PRELIMINARY
AMENDMENT FILED
8/29/2002; ENCLOSED

AND CLAIMS BENEFIT OF 60/102,487 09/30/1998
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AND CLAIMS BENEFIT OF 60/144,758 07/20/1999
AND CLAIMS BENEFIT OF 60/145,698 07/26/1999
AND CLAIMS BENEFIT OF 60/162,506 10/29/1999~~

Foreign Applications

~~PCT/US99/00106 01/05/1999
PCT/US99/20111 09/01/1999
PCT/US99/21194 09/15/1999
PCT/US99/28313 11/30/1999
PCT/US99/28551 12/02/1999
PCT/US99/30095 12/16/1999
PCT/US00/00219 01/05/2000
PCT/US00/00376 01/06/2000
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PCT/US01/19692 06/20/2001
PCT/US01/21066 06/29/2001
PCT/US01/21735 07/09/2001~~

If Required, Foreign Filing License Granted 03/20/2002

Projected Publication Date: 10/31/2002

Non-Publication Request: No

Early Publication Request: No

Title

Secreted and transmembrane polypeptides and nucleic acids encoding the same

Preliminary Class

435

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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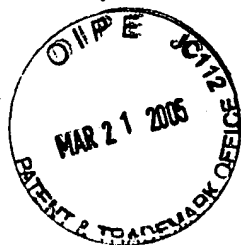
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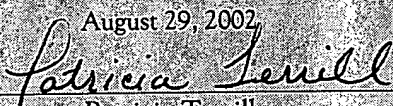
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Patent Docket P2830P1C56

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kevin P. Baker et al. Serial No.: 10/015715 Filed: 12/12/2001	Group Art Unit: Not yet assigned Examiner: Not yet assigned <div style="text-align: center;"><small>CERTIFICATE OF MAILING</small> <small>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on</small> August 29, 2002  Patricia Terrill</div>
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PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Prior to substantive examination of the above captioned patent application, Applicants respectfully request that the following amendments be entered.

In the specification:

Please delete the paragraph at page 1, line 2, that was previously added by preliminary amendment.

Please insert the following new paragraph at page 1, line 2:

--RELATED APPLICATIONS

This application is a continuation of, and claims priority under 35 USC §120 to, US Application 09/946374 filed 9/4/2001, which is a continuation of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/04342 filed 2/18/2000, which is a continuation-in-part of, and claims priority under 35 USC §120 to, US Application 09/403297 filed 10/18/1999, now abandoned, which is the

Patent Docket: P2830P1C56
Serial No.: 10/015715
Filed: 12/12/2001

National Stage filed under 35 USC §371 of PCT Application PCT/US99/20111 filed 9/1/1999, which claims priority under 35 USC §119 to US Provisional Application 60/101916 filed 9/24/1998.--

Patent Docket: P2830P1C56
Serial No.: 10/015715
Filed: 12/12/2001


REMARKS

The paragraph at page 1, line 2 that had been added by a previous preliminary amendment has been deleted. A new paragraph beginning at page 1, line 2 has been added to replace the deleted paragraph. The new paragraph lists the documents to which priority is claimed for the instant application. Applicants respectfully request entry of this paragraph for prosecution in this application. The Examiner is invited to contact the undersigned at (650) 225-4563 if any issues may be resolved in that manner.

Respectfully submitted,
GENENTECH, INC.

Date: August 29, 2002

By:


Elizabeth M. Barnes, Ph. D.
Reg. No. 35,059
Telephone: (650) 225-4563



09157

PATENT TRADEMARK OFFICE

Patent Docket: P2830P1C56

Serial No.: 10/015715

Filed: 12/12/2001

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

The paragraph at page 1, line 2 that had been added by a previous preliminary amendment has been deleted. A new paragraph beginning at page 1, line 2 has been added to replace the deleted paragraph.



In Re Application of: Kevin P. Baker et al.

Serial No: 10/015,715

Docket No: P2830P1C56

Filed on: December 12, 2001

By: Elizabeth M. Barnes

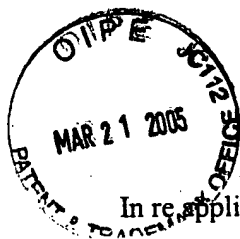
Mailed on: August 29, 2002

Reg. No.: 35,059

The following has been received by the U.S. Patent Office on the date stamped.

- ☒ Preliminary Amendment
- ☒ Post card





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kevin P. BAKER, et al.

Application Serial No. 10/015,715

Filed: December 12, 2001

For: PRO1340 NUCLEIC ACIDS

) Examiner: Landsman, Robert S.

) Art Unit: 1647

) Confirmation No: 4464

) Attorney's Docket No. 39780-2830 P1C56

) Customer No. 35489

EXPRESS MAIL LABEL NO. EL 993 636 936 US
DATE MAILED: MARCH 7, 2005

AMENDMENT UNDER 37 C.F.R. §1.48(b) AND 37 C.F.R. §1.312

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Please enter the following amendments, and consider the following arguments.

Amendment to the Claims begin on page 2.

Remarks begin on page 6.

Amendments to the Claims:

1-27. (canceled)

28. (previously presented) An isolated nucleic acid encoding a polypeptide having at least 80% sequence identity to:

- (a) the amino acid sequence of the polypeptide of SEQ ID NO:229;
 - (b) the amino acid sequence of the polypeptide of SEQ ID NO:229, lacking its associated signal peptide;
 - (c) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:228; or
 - (d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203268,
- wherein the encoded polypeptide promotes proliferation of inner ear supporting cells.

29. (previously presented) The isolated nucleic acid of Claim 28 encoding a polypeptide having at least 85% sequence identity to:

- (a) the amino acid sequence of the polypeptide of SEQ ID NO:229;
 - (b) the amino acid sequence of the polypeptide of SEQ ID NO:229, lacking its associated signal peptide;
 - (c) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:228; or
 - (d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203268,
- wherein the encoded polypeptide promotes proliferation of inner ear supporting cells.

30. (previously presented) The isolated nucleic acid of Claim 28 encoding a polypeptide having at least 90% sequence identity to:

- (a) the amino acid sequence of the polypeptide of SEQ ID NO:229;
- (b) the amino acid sequence of the polypeptide of SEQ ID NO:229, lacking its associated signal peptide;

(c) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:228; or

(d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203268,

wherein the encoded polypeptide promotes proliferation of inner ear supporting cells.

31. (previously presented) The isolated nucleic acid of Claim 28 encoding a polypeptide having at least 95% sequence identity to:

(a) the amino acid sequence of the polypeptide of SEQ ID NO:229;

(b) the amino acid sequence of the polypeptide of SEQ ID NO:229, lacking its associated signal peptide;

(c) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:228; or

(d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203268,

wherein the encoded polypeptide promotes proliferation of inner ear supporting cells.

32. (previously presented) The isolated nucleic acid of Claim 28 encoding a polypeptide having at least 99% sequence identity to:

(a) the amino acid sequence of the polypeptide of SEQ ID NO:229;

(b) the amino acid sequence of the polypeptide of SEQ ID NO:229, lacking its associated signal peptide;

(c) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:228; or

(d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 203268,

wherein the encoded polypeptide promotes proliferation of inner ear supporting cells.

33. (currently amended) An isolated nucleic acid comprising:

- (a) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:229;
- (b) a nucleic acid sequence encoding the polypeptide of SEQ ID NO:229, lacking its associated signal peptide;
- (c) a nucleic acid sequence encoding the extracellular domain of the polypeptide-of SEQ ID NO:229;
- (d) the nucleic acid sequence of SEQ ID NO:228;
- (e) the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:228;

or

[[e]] (f) the full-length coding sequence of the cDNA deposited under ATCC accession number 203268.

34. (previously presented) The isolated nucleic acid of Claim 33 comprising a nucleic acid sequence encoding the polypeptide of SEQ ID NO:229.

35. (previously presented) The isolated nucleic acid of Claim 33 comprising a nucleic acid sequence encoding the polypeptide of SEQ ID NO:229, lacking its associated signal peptide.

36. (previously presented) The isolated nucleic acid of Claim 33 comprising a nucleic acid sequence encoding the extracellular domain of the polypeptide-of SEQ ID NO:229.

37. (canceled)

38. (previously presented) The isolated nucleic acid of Claim 33 comprising the nucleic acid sequence of SEQ ID NO:228.

39. (previously presented) The isolated nucleic acid of Claim 33 comprising the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:228.

40. (previously presented) The isolated nucleic acid of Claim 33 comprising the full-length coding sequence of the cDNA deposited under ATCC accession number 203268.

41. (canceled)
42. (canceled)
43. (canceled)
44. (previously presented) A vector comprising the nucleic acid of Claim 28.
45. (previously presented) The vector of Claim 44, wherein said nucleic acid is operably linked to control sequences recognized by a host cell transformed with the vector.
46. (previously presented) An isolated host cell comprising the vector of Claim 44.
47. (previously presented) The isolated host cell of Claim 46, wherein said cell is a CHO cell, an *E. coli* or a yeast cell.

REMARKS

Claims 28-36, 38-40 and 44-47 stand allowed in this application. With this amendment, letter (e) has been replaced with letter (f) in order to remove duplication in numbering within Claim 33 and to improve the clarity of the claim. No new matter is added by way of the claim amendment.

Applicants respectfully request entry of the claim amendment.

INVENTORSHIP

In the above identified application, a Notice of Allowance was mailed on December 30, 2004, but an issue fee has not been paid. Having reviewed the allowed claims, Applicants have found that as a result of claim amendments made during prosecution, fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the present application. Accordingly, please **delete** the names of the following inventors, who have not made an inventive contribution to the currently claimed subject matter:

Kevin P. Baker	David Botstein
Luc Desnoyers	Dan L. Eaton
Napoleone Ferrara	Sherman Fong
J. Christopher Grimaldi	Kenneth J. Hillan
James Pan	Nicholas F. Paoni
Margaret Ann Roy	Victoria Smith
Timothy A. Stewart	Daniel Tumas
Colin K. Watanabe	P. Mickey Williams

Upon entering the present amendment, Wei-Qiang Gao, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood remain named inventors in this case.

Please charge the fee of \$130.00 and/or any fees that might become applicable, including any fees for extension of time, or credit overpayment to Deposit Account No. 08-1641, referencing Attorney's Docket No. 39780-2830 P1C56. Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: March 7, 2005

By: 
Anna L. Barry (Reg. No. 51,436)

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